

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

UNITED STATES OF AMERICA

VS.

CRIMINAL NO. 3:00-CR-142BS
CIVIL ACTION NO. 3:06-CV-98BS

CHARLES SILAS

OPINION AND ORDER

Currently pending before the Court is Petitioner Charles Silas' 28 U.S.C. § 2255 Motion to Vacate, Set Aside, or Correct Sentence, which was filed on February 15, 2006. For the reasons set forth below, the Motion must be denied.

On November 30, 2000, Silas entered a plea of guilty to a single count of carjacking, in violation of 18 U.S.C. § 2119. Silas was sentenced on March 27, 2001, and a Judgment was filed on March 30, 2001. The sentence was not appealed by Silas.

A Motion under 28 U.S.C. § 2255 must be filed within one year after the date of the conviction becomes final. Silas failed to meet the one year limitations period in this case. That is, the Judgment became final on March 30, 2001, and the subject Motion was not filed until February 15, 2006. Therefore, the subject Motion is hereby denied. A Final Judgment dismissing civil action no. 3:06CV98BS will be entered.

SO ORDERED this the 21ST day of June, 2006.

s/ William H. Barbour, Jr.
UNITED STATES DISTRICT JUDGE

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